



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/016,679 | 12/12/2001 | Bruce E. Probst | HBO-41 | 2540 |

1473 7590 06/22/2004
FISH & NEAVE
1251 AVENUE OF THE AMERICAS
50TH FLOOR
NEW YORK, NY 10020-1105

EXAMINER

TRUONG, CAM Y T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2172

DATE MAILED: 06/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/016,679

Applicant(s)

PROBST ET AL

Examiner

Cam Y T Truong

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5-6.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Art Unit: 2172

DETAILED ACTION

1. Applicant's election of group I, claims 1-25 and 31-41 in Paper No. 8 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 1-25 and 31-41 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan").

As to claim1, Sheth teaches the claimed limitation "metadata for at least two types of digital assets selected from the group consisting of movies and text documents" as providing title, description, media type , source site, surrogate metadata for baseball asset and Hockey assets selected from the group consisting of movies, picture and text documents, graphics (figs. 1-6 &11, col. 8, lines 20-45).

Art Unit: 2172

Sheth does not explicitly teach the claimed limitation "audio recordings, video recordings". Sezan teaches attribute voice-annotation for audio and color profile for video (col. 29, lines 20-35; col. 19, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve or track a digital motion video or video image in a database quickly.

As to claim 2, Sheth teaches the claimed limitation " wherein said document type definition is encoded in extensible markup language (XML)" as (fig. 6).

As to claim 3, Sheth teaches the claimed limitation "metadata for photographs" metadata for images (figs. 11&12, col. 8, lines 30-35). Sezan teaches the claimed limitation "audio recordings" as (col. 29, lines 20-35).

As to claim 4, Sheth teaches the claimed limitation "metadata for photographs" as (figs. 11&12, col. 8, lines 30-35). Sezan teaches the claimed limitation "video recordings" as (col. 19, lines 35-45).

As to claim 5, Sheth and Sezan teaches the claimed limitation subject matter in claim 1, Sezan further teaches the claimed limitation "metadata for photographs, audio recordings, and video recordings" as (col. 20, lines 40-65).

As to claim 6, Sheth teaches the claimed limitation “ comprising metadata for photographs, audio recordings, and movies” as (figs. 11-13).

As to claim 13, Sheth teaches the claimed limitation “a definition for director; and a definition for cast” as (col. 3, lines 35-45).

As to claim 14, Sheth teaches the claimed limitation “metadata for at least three types of digital assets selected from the group consisting of photographs, movies, graphics, and text documents” as as providing title, description, media type , source site, surrogate metadata for baseball asset, Hockey asset and Tennis asset selected from the group consisting of movies, picture and text documents, graphics (figs. 1-6 & 11, col. 8, lines 20-45). Sheth does not explicitly teach the claimed limitation “audio recordings, video recordings”. Sezan teaches attribute voice-annotation for audio and color profile for video (col. 29, lines 20-35; col. 19, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

Art Unit: 2172

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Scoff et al (or hereinafter "Scoff").

As to claim 7, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for black/white; a definition for color and a definition for caption". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30). Scott teaches media frames are preset within the template definition, normally for common text captions (col. 19, lines 35-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white and Scott's teaching of media frames are preset within the template definition, normally for common text captions to Sheth's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Murphy et al (or hereinafter "Murphy") (USP 6625810).

As to claim 12, Sheth discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for run time; a definition for color; and a

Art Unit: 2172

definition for synopsis. Sezan teaches color back/white, timestamps (col. 6, lines 25-30; col. 12, lines 35-40). Murphy teaches a brief plot synopsis (col. 1, lines 45-47).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white, timestamps and Murphy's teaching of a brief plot synopsis to Sheth's system in order to monitor a plurality of different time slots for media files for future processing.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303) and Lawler et al (hereinafter "Lawler") (USP 5907323).

As to claim 8, Sheth discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for music; a definition for track title; and a definition for duration". Foreman teaches Title track, duration (fig. 6). Lawler teaches timing definitions for music (col. 8, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration and Lawler's teaching of timing definitions for music to sheth's system and Sezan's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

Art Unit: 2172

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Berhan (USP 6487145).

As to claim 9, Sheth discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for compact disc (CD) number; and a definition for CD title". Berhan teaches CD number and CD title (col. 8, lines 30-40; col. 9, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berhan's teaching of CD number and CD title to Sheth's system in order to track music data from the storage media at the listening rate.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 10, Sheth teaches the claimed limitation "a definition for title" title is a brief textual, or a proper name (fig. 2). Sheth does not explicitly teach the claimed limitation "a definition for version". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes an unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differ in the VCR video

Art Unit: 2172

version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of Reimer's teaching of video version includes an unique time code to Sheth's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Landis (UPS 5659368) and Cane et al (or hereinafter "Cane") (USP 6157931).

As to claim 11, Sheth discloses the claimed limitation subject matter in claim 1, except the claimed limitation "a definition for rating; a definition for minutes; and a definition for release date". Landis teaches rating information for movies; minute data field has a valid range from 0 to 59 (col. 9, lines 40-45; col. 10, lines 50-67). Cane teaches definition of release date (col. 2, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Landis teaches rating information for movies, minute data field has a valid range from 0 to 59 and Cane's teaching definition of release date to Sheth's system in order to search/retrieve media file following user's derise.

Art Unit: 2172

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al (or hereinafter "Rose") in view of Montgomery et al (or hereinafter "Montgomery") (USP 6380950) and Hendrichs et al (or hereinafter "5659350").

As to claim 15, Roses teaches the claimed limitation "metadata for photographic digital assets, audio digital assets" as multimedia assets of various types, including image, video, audio, text and program code media types. Multimedia assets are checked into a computer system along with specified characteristics and identification information for the assets. Specified characteristics and identification information for the assets are represented as metadata. Roses does not explicitly teach the claimed limitation "promo digital assets, and voiceover digital assets". Montgomery teaches voiceovers 492 (fig. 4B). Henrich teaches audio tracks to promos is stored database (col. 13, lines 30-35; col. 37, lines 15-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of voice-overs and Hendrichs's teaching of audio tracks to promos is stored database to Roses's system in order to allow a user to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Montgomery et al (or hereinafter "Montgomery") (USP 6380950) and Hendrichs et al (or hereinafter "5659350").

Art Unit: 2172

As to claim 16, Sheth teaches the claimed limitation "digital content selected from the group consisting of digitally encoded asset data, a link to a file containing asset data, and a reference to a location where asset data is digitally stored" as (col. 4, lines 55-67; col. 12, lines 5-25);

"and metadata for at least three types of digital assets selected from the group consisting of photographs, movies, graphics, and text documents" as (figs. 10 & 13A-13C).

Sheth does not explicitly teach the claimed limitation "promos voiceovers, audio recordings and video recordings". Montgomery teaches voiceovers 492 (fig. 4B). Hendricks teaches audio/video and storing audio track to promos in database (col. 13, lines 30-35; col. 37, lines 15-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of voiceovers and Hendricks's teaching audio/video and storing audio track to promos in database to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily.

10. Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tjaden (USP 6122617) in view of May et al (or hereinafter "May") (USP 5544354).

As to claim 17, Tjaden teaches the claimed limitations:

Art Unit: 2172

"a first record having a plurality of fields identifying a photograph" as (col. 4, lines 6-67; col.2, lines 40-55);

"a third record having a plurality of fields identifying a musical recording" as (col. 2, lines 40-55).

Tjaden does not explicitly teaches the claimed limitation "a second record having a plurality of fields identifying a motion picture movie". May teaches a record cell can used to access a movie. This movie includes motion pictures. Thus, this movie is a motion movie (col. 9, lines 40-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply May's teaching of a record cell can used to access a movie including motion pictures to Tjaden's system to allow a user to hear and feel actions of actors in a movie.

As to claim 19, Tjaden and May teaches the claimed limitation subject matter in claim 17, May further teaches the claimed limitation "wherein said second record comprises a field identifying the title of said movie" as (col. 2, lines 25-30).

11. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tjaden (USP 6122617) in view of May et al (or hereinafter "May") (USP 5544354) and further in view of Parnian et al (or hereinafter "Parnian") (USP 6538623).

Art Unit: 2172

As to claim 18, Tjaden and May disclose the claimed limitation subject matter in claim 17, except the claimed limitation "said first record comprises a field identifying the photographer". Parnian teaches photographer_ID to identify photographer (col. 28, lines 20-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Parnian's teaching of photographer_ID to identify photographer to Tjaden and May in order to search/retrieve a particular photographer on web correctly.

12. Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Tjaden (USP 6122617) in view of May et al (or hereinafter "May") (USP 5544354) and further in view Gruse et al (or hereinafter "Gruse") (USP 6389538).

As to claim 20, Tjaden and May disclose the claimed limitation subject matter in claim 17, except the claimed limitation "a field identifying the composer of said musical recording". Gruse teaches metadata consists of the data describing the Content 113 for example in music, title of the recording, artist, author/composer, producer and length of Recording (col. 60, lines 20-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Gruse's teaching of metadata consists of the data describing the Content 113 for example in music, title of the recording, artist,

Art Unit: 2172

author/composer, producer and length of recording to Tjaden and May in order to allow a user to track a composer of a music recording.

13. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over May in view of Fatseas et al (or hereinafter "Fatseas") (USP 5671409).

As to claim 21, May teaches the claimed limitations:

"a first record having a plurality of fields identifying a photograph" as there is a general cell class that includes the attributes that include a cell identifier, a name or type, indicators for the image as a photograph (col. 24, lines 60-65);

"a second record having a plurality of fields identifying a movie" as a record cell may be used to directly access a movie. A record cell includes attributes (col. 18, lines 15-40);

"a third record having a plurality of fields identifying an audio recording" as (col. 25, lines 1-30; col. 1, lines 40-55).

May does not explicitly teach the claimed limitation "and a fourth record having a plurality of fields identifying a voiceover". Fatseas teaches other fields of data are encoded with digitized audio voice-overs corresponding to the questions responded to by the interviewee (col. 4, lines 50-60).

It would have been obvious to a person of an ordinary skill at the time the invent was made to apply Fatseas's teaching of other fields of data are encoded with digitized audio voice-overs corresponding to the questions responded to by the interviewee and

Art Unit: 2172

to Li's system in order to allow a user search/retrieve voice-overs of a record in a database for understanding movie or any types of media data.

14. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over May in view of Fatseas et al (or hereinafter "Fatseas") (USP 5671409) and further in view Hendricks.

As to claim 22, May teaches the claimed limitations

"a first record having a plurality of fields identifying a photograph" as (col. 24, lines 60-65);

"a second record having a plurality of fields identifying a movie" as a record cell may be used to directly access a movie. A record cell includes attributes (col. 18, lines 15-40);

"a third record having a plurality of fields identifying an audio recording" as (col. 25, lines 1-30; col. 1, lines 40-55).

May does not explicitly teach the claimed limitation "and a fourth record having a plurality of fields identifying a voiceover; and a fifth record having a plurality of fields identifying a promo". Fatseas teaches other fields of data are encoded with digitized audio voice-overs corresponding to the questions responded to by the interviewee (col. 4, lines 50-60). Hendricks teaches audio/video and storing audio track to promos in database (col. 13, lines 30-35; col. 37, lines 15-35).

Art Unit: 2172

It would have been obvious to a person of an ordinary skill at the time the invention was made to apply Fatseas's teaching of other fields of data are encoded with digitized audio voice-overs corresponding to the questions responded to by the interviewee and Hendricks's teaching of audio/video and storing audio track to promos in database to May's system in order to allow a user search/retrieve voice-overs of a record in a database for understanding movie or any types of media data and to track audio/video.

15. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Hsu et al (or hereinafter "Hsu") (USP 6377956).

As to claims 23, Sezan teaches the claimed limitations:

"a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying an audio recording" as (col. 19-col. 20, col. 5, lines 30-35).

Sezan does not explicitly the claimed limitation "and a document type definition (DTD) comprising definitions for photographs, video recordings, and audio recordings; said DTD corresponding to said database records". Hsu teaches DTD definition for multimedia file including video and audio (col. 7, lines 35-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hsu's teaching of DTD definition for multimedia file including video and audio to Sezan's system in order to monitor multimedia files, to save time searching/retrieving multimedia files.

As to claim 24, Sezan teaches the claimed limitation “a database comprising a plurality of records, one said record identifying a photograph, a second said record identifying a video recording, and a third said record identifying an audio recording” as (col. 19-col. 20, col. 5, lines 30-35);

“and digital content comprising a photograph, a video recording, and an audio recording” as (fig. 2).

Sezan does not explicitly the claimed limitation a” document type definition (DTD) comprising definitions for photographs, video recordings, and audio recordings, said DTD corresponding to said database records”. Hsu teaches DTD definition for multimedia file including video and audio (col. 7, lines 35-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hsu’s teaching of DTD definition for multimedia file including video and audio to Sezan’s system in order to monitor multimedia files, to save time searching/retrieving multimedia files.

16. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Gordon et al (or hereinafter “Gordon”) (USP 6584153) and Hsu.

As to claim 25, Sheth teaches the claimed limitations:

database comprising a plurality of records, said records identifying at least two types of digital assets selected from the group consisting of still images, audio

Art Unit: 2172

recordings, video recordings, voice-overs, movies, graphics, and text documents” as ((figs. 1-6 & 11, col. 8, lines 20-45).

Sheth does not explicitly teach the claimed limitation “audio recordings, video recordings, voice-overs, promos; a document type definition (DTD) comprising definitions for said at least two types of digital assets, said DTD corresponding to said database records”. Gordon teaches storing audio, video, voice-over and promos (col. 19, lines 60-67; col. 18, lines 30-35; col. 14, lines 5-10). Hsu teaches DTD definition for multimedia file including video and audio (col. 7, lines 35-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Gordon’s teaching of storing audio, video, voice-over, promos and Hsu’s teaching of DTD definition for multimedia file including video and audio to Sezan’s system in order to monitor multimedia files, to save time searching/retrieving multimedia files.

17. Claims 31, 32, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter “Sheth”) in view of Sezan et al (or hereinafter “Sezan”) and further in view of Rabne.

As to claim 31, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation “metadata for rights management of said at least two types of digital assets”. Rabne teaches user based on the rights of the user

Art Unit: 2172

registered with the RM system into Sheth's system and Sezan's system to access the content of the digital libraries. Each user has a access ID (col. 18, liens 20-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rabne's teaching of user based on the rights of the user registered with the RM system to access the content of the digital libraries. Each user has a access ID to into Sheth's system and Sezan's system in order to prevent hackers or crackers to modify digital media file without permission.

As to claim 32, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a contract identifier". Rabne teaches user's ID (col. 18, lines 35-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rabne's teaching of user's ID to into Sheth's system and Sezan's system in order to prevent hackers or crackers to modify digital media file without permission.

As to claim 37, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "wherein said rights management metadata indicates whether world wide rights are granted". Rabne teaches (fig. 13, col. 12, lines 30-50).

Art Unit: 2172

As to claim 40, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said movie metadata, said movie metadata attributes comprising a definition for allowable usage of a movie". Rabne teaches access a usage rights to the content of the digital libraries that may content a movie (col. 18, lines 50-55).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Rabne's teaching of access an usage rights to the content of the digital libraries that may content a movie to into Sheth's system and Sezan's system in order prevent unauthorized to make copy a movie or view a movie without permission.

18. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Rabne and Rivera et al (or hereinafter "Rivera") (UPS 6056786).

As to claim 33, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "an availability start date". Rivera teaches as illustrated a portion of a typical audit log 80. The present invention utilizes certain data contained in a typical audit log to determine license compliance. An entry 82 in the audit log 80 includes a timestamp 84 comprised of the date and start and end times of the transaction in a form such as "1997/06/23, 07:38:04, 97:38:06". The entry 80 also identifies the name of the user or user ID 86 and the name of the client computer or client ID 88 from which the transaction was initiated" as (col. 6, lines 25-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rivera's teaching of start time to into Sheth's system and Sezan's system in order to track user's transactions and prevent unauthorized use of a license.

As to claim 34, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "an availability end date" Rivera teaches as illustrated a portion of a typical audit log 80. The present invention utilizes certain data contained in a typical audit log to determine license compliance. An entry 82 in the audit log 80 includes a timestamp 84 comprised of the date and start and end times of the transaction in a form such as "1997/06/23, 07:38:04, 97:38:06". The entry 80 also identifies the name of the user or user ID 86 and the name of the client computer or client ID 88 from which the transaction was initiated" as (col. 6, lines 25-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rivera's teaching of start time to into Sheth's system and Sezan's system in order to track user's transactions and prevent unauthorized use of a license.

19. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Rabne and Rose et al (or hereinafter "Rose") (USP 5752244).

Art Unit: 2172

As to claim 35, Rabne teaches the claimed limitation "wherein said rights management metadata identifies a copyright holder". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed (col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed to into Sheth's system and Sezan's system in order to prevent unauthorized to make copy digital media without permission.

20. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Rabne and Hurtado et al (or hereinafter "Hurtado") (USP 6418421).

As to claim 36, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "wherein said rights management metadata comprises an allowed number of plays per agreement". Hurtado teaches number of plays is permitted (col. 9, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hurtado's teaching of the number of plays is permitted to into Sheth's system and Sezan's system in order to control unlocked content only by

Art Unit: 2172

authorized intermediate or end-user that have secured a license or prevent users make a copy of file or play a music without permission.

21. Claims 38, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (or hereinafter "Sheth") in view of Sezan et al (or hereinafter "Sezan") and further in view of Rose.

As to claim 38, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said photograph metadata, said photograph metadata attributes comprises a definition for legal restrictions associated with a photograph". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including images as photographs (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including images to into Sheth's system and Sezan's system in order to prevent unauthorized to make copy digital media without permission.

As to claim 39, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said audio

Art Unit: 2172

metadata, said audio metadata attributes comprising a definition for rights issues regarding use of an audio recoding". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including audio (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including audio to into Sheth's system and Sezan's system in order to prevent unauthorized to make copy digital media without permission.

As to claim 41, Sheth and Sezan disclose the claimed limitation subject matter in claim 1, except the claimed limitation "a plurality of metadata attributes for said video-recordings metadata, said video-recordings-metadata attributes comprising a definition for rights issues regarding use of a video recording". Rose teaches the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before retrieving multimedia assets of various types including video (abstract, col. 18, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rose's teaching of the user can enter copyright information, such as the copyright owner, for the asset in the copyright filed before

Art Unit: 2172

retrieving multimedia assets of various types including video to into Sheth's system and Sezan's system in order to prevent unauthorized to make copy digital media without permission.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Devlin (USP 5857707).

Contact Information


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

5/24/04


SHAHID ALAM
PRIMARY EXAMINER